

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

FEKADE ALEMU,

Defendant.

Case No. 2:22-mj-00692-EJY

**FINDINGS OF FACT, CONCLUSIONS
OF LAW AND ORDER**

FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. Defense counsel and Mr. Alemu need additional time to review discovery and discuss the case.
2. Mr. Alemu is not in custody and does not object to the continuance.
3. The parties agree to the continuance.
4. Additionally, denial of this request for continuance could result in a miscarriage of justice. The additional time requested by this Stipulation is excludable in computing the time within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United States Code, Section 3161(h)(7)(A), considering the factors under Title 18, United States Code, Section 3161(h)(7)(B)(i), (iv).

CONCLUSIONS OF LAW

The ends of justice served by granting said continuance outweigh the best interest of the public and the defendant in a speedy trial, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the

1 opportunity within which to be able to effectively and thoroughly prepare for trial, taking into
2 account the exercise of due diligence.

3 The continuance sought herein is excludable under the Speedy Trial Act, Title 18,
4 United States Code, Section § 3161 (h)(7)(A), when the considering the factors under Title 18,
5 United States Code, § 3161(h)(7)(B)(i), (iv).

6 **ORDER**

7 IT IS THEREFORE FURTHER ORDERED that the Bench Trial currently scheduled
8 for December 14, 2022, at the hour of 9:00 a.m., be vacated and continued to
9 January 18, 2023 at the hour of 9:00 a.m. in Courtroom 3D.

10 DATED this 14th day of December, 2022.

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13 UNITED STATES MAGISTRATE JUDGE
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